Filed: August 1, 2003

Amendment and Response to Non-Final Office Action

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A method comprising:

receiving, at a payment service <u>provider</u>, provider processor, a payment request to pay a payee on behalf of a payor, wherein the payment request debits by debiting a payor account;

determining, at the payment service <u>provider</u>, <u>provider processor</u>, a plurality of debit options applicable for debiting the payor account, wherein each debit option is associated with a plurality of processing factors <u>comprising at least one of a risk factor</u>, a <u>cost factor</u>, or a <u>speed factor</u>;

selecting, by the payment service <u>provider</u>, provider processor, at least one processing factor of the plurality of processing factors based on a preference associated with at least one of (i) a consumer service provider associated with the payor, or (ii) the payment service provider:

evaluating, at the payment service <u>provider</u>, provider processor, each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor;

automatically selecting, at the payment service <u>provider</u>, provider processor, one of the plurality of debit options based, at least in part, on the evaluating;

determining, at the payment service <u>provider</u>, provider processor, a credit option associated with the selected debit option; and

executing, at the payment service <u>provider</u>, provider processor, the payment request using the selected debit option and the credit option.

wherein the above steps are performed by one or more computers associated with the payment service provider.

2. (Previously Presented) The method of claim 1, wherein the plurality of debit options includes i) electronically debiting the payor account responsive to determining that funds in at least an amount of the payment request are available in the payor account, ii) electronically

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debiting the payor account responsive to determining that an entity is available from which to collect funds if funds cannot be collected from the payor in association with effecting the payment, iii) electronically debiting the payor account responsive to selecting an account to receive an electronic credit associated with the electronic debit, the selected account associated with a payment service provider, iv) electronically debiting the payor account responsive to determining that a risk of financial loss to a payment service provider associated with effecting the payment on behalf of the payor is an acceptable risk, the determination based upon information associated with at least one of an amount of the payment and one or more prior payments effected on behalf of the payor, or v) electronically debiting the payor account responsive to determining that an electronic credit can be initiated by a payment service provider to reverse the electronic debit if funds cannot be collected from the payor in association with the effected payment.

- 3. (Currently Amended) The method of claim 1, wherein each of the debit options is determined based, at least in part, upon at least one of i) [[the]] an identity of the payer, iii) [[the]] an identity of the payor, iii) [[the]] an identity of a financial institution at which the payor account is maintained, iv) [[the]] an identity of a consumer service provider with which the payor is associated, [[and]] or v) a type of payment service offered by a payment service provider utilized by the payor.
- 4. (Currently Amended) The method of claim 1, wherein executing the payment request using the selected debit option and the credit option includes issuing an electronic funds transfer file via [[the]] an ACH network.
- 5. (Previously Canceled)
- 6. (Previously Canceled)

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7. (Previously Presented) The method of claim 1, wherein the plurality of debit options is determined based upon the received payment request.

8. (Currently Amended) The method of claim 1, wherein each of the plurality of debit options is associated with a priority, and wherein evaluating each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor comprises a first of the plurality of debit options and a second of the plurality of debit options producing the same result, and further comprising:

determining, by the payment service provider processor, that the first of the plurality of debit options has a higher associated priority than the second of the plurality of debit options; and

wherein automatically selecting one of the plurality of debit options comprises automatically selecting the first of the plurality of debit options based at least in part on determining that the first of the plurality of debit options has a higher associated priority than the second of the plurality of debit options.

9. (Currently Amended) The method of claim 1, wherein evaluating each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor comprises a first of the plurality of debit options and a second of the plurality of debit options producing the same result, and further comprising:

determining, by the payment service provider processor, that the first of the plurality of debit options is associated with a shorter time period to complete payment to the payee on behalf of the payor than the second of the plurality of debit options; and

wherein automatically selecting one of the plurality of debit options comprises automatically selecting the first of the plurality of debit options based at least in part on determining that the first of the plurality of debit options is associated with a shorter time period to complete payment to the payee on behalf of the payor than the second of the plurality of debit options.

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10. (Currently Amended) The method of claim 1, wherein evaluating each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor comprises a first of the plurality of debit options and a second of the plurality of debit options producing the same result, and further comprising:

determining, by the payment service provider processor, that the first of the plurality of debit options is associated with a lesser cost to the payment service provider than the second of the plurality of debit options; and

wherein automatically selecting one of the plurality of debit options comprises automatically selecting the first of the plurality of debit options based at least in part on determining that the first of the plurality of debit options is associated with a lesser cost to the payment service provider than the second of the plurality of debit options.

11. (Currently Amended) The method of claim 1, wherein evaluating each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor comprises a first of the plurality of debit options and a second of the plurality of debit options producing the same result, and further comprising:

determining, by the payment service provider processor, that the first of the plurality of debit options is associated with a higher level of protection against financial loss to the payment service provider than the second of the plurality of debit options; and

wherein automatically selecting one of the plurality of debit options comprises automatically selecting the first of the plurality of debit options based at least in part on determining that the first of the plurality of debit options is associated with a higher level of protection against financial loss to the payment service provider than the second of the plurality of debit options.

12. (Currently Amended) A system comprising:

a communication interface configured to receive a payment request to pay a payee on behalf of a payor, wherein the payment request debits by debiting a payor account; and

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a processor configured to i) determine a plurality of debit options applicable for debiting the payor account, wherein each debit option is associated with a plurality of processing factors comprising at least one of a risk factor, a cost factor, or a speed factor, ii) select at least one processing factor of the plurality of processing factors based on a preference associated with at least one of a consumer service provider associated with the payor or the payment service provider, iii) evaluate each debit option of the plurality of debit options based on the at least one selected processing factor, iv) automatically select one of the plurality of debit options based, at least in part, on the evaluation, v) determine a credit option associated with the selected debit option, and vi) execute the payment request using the selected debit option and the credit option.

- 13. (Previously Presented) The system of claim 12, wherein the plurality of debit options includes i) electronically debiting the payor account responsive to determining that funds in at least an amount of the payment request are available in the payor account, ii) electronically debiting the payor account responsive to determining that an entity is available from which to collect funds if funds cannot be collected from the payor in association with effecting the payment, iii) electronically debiting the payor account responsive to selecting an account to receive an electronic credit associated with the electronic debit, the selected account associated with a payment service provider, iv) electronically debiting the payor account responsive to determining that a risk of financial loss to a payment service provider associated with effecting the payment on behalf of the payor is an acceptable risk, the determination based upon information associated with at least one of an amount of the payment and one or more prior payments effected on behalf of the payor, or v) electronically debiting the payor account responsive to determining that an electronic credit can be initiated by a payment service provider to reverse the electronic debit if funds cannot be collected from the payor in association with the effected payment.
- 14. (Currently Amended) The system of claim 12, wherein each of the debit options is determined based, at least in part, upon at least one of i) [[the]] an identity of the payer, iii) [[the]] an identity of the payor, iii) [[the]] an identity of a financial institution at which the payor

account is maintained, iv) [[the]] an identity of a consumer service provider with which the payor is associated, [[and]] or v) a type of payment service offered by a payment service provider utilized by the payor.

- 15. (Currently Amended) The system of claim 12, wherein the execution of the payment request using the selected debit option and the credit option includes issuing an electronic funds transfer file via [[the]] an ACH network.
- 16. (Previously Canceled)
- 17. (Previously Canceled)
- 18. (Previously Presented) The system of claim 12, wherein the plurality of debit options is determined based upon the received payment request.
- 19. (Currently Amended) The system of claim 12, wherein: each of the plurality of debit options is associated with a priority,

the evaluation of each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor comprises a first of the plurality of debit options and a second of the plurality of debit options producing the same result,

the processor is further configured to determine that the first of the plurality of debit options has a higher associated priority than the second of the plurality of debit options, and

the automatic selection of one of the plurality of debit options comprises automatically selecting the first of the plurality of debit options based at least in part on determining that the first of the plurality of debit options has a higher associated priority than the second of the plurality of debit options.

20. (Currently Amended) The system of claim 12, wherein:

the evaluation of each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor comprises a first of the plurality of debit options and a second of the plurality of debit options producing the same result,

the processor is further configured to determine that the first of the plurality of debit options is associated with a shorter time period to complete payment to the payee on behalf of the payor than the second of the plurality of debit options, and

the automatic selection of one of the plurality of debit options comprises automatically selecting the first of the plurality of debit options based at least in part on determining that the first of the plurality of debit options is associated with a shorter time period to complete payment to the payee on behalf of the payor than the second of the plurality of debit options.

21. (Currently Amended) The system of claim 12, wherein:

the evaluation of each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor comprises a first of the plurality of debit options and a second of the plurality of debit options producing the same result

the processor is further configured to determine that the first of the plurality of debit options is associated with a lesser cost to the payment service provider than the second of the plurality of debit options, and

the automatic selection of one of the plurality of debit options comprises automatically selecting the first of the plurality of debit options based at least in part on determining that the first of the plurality of debit options is associated with a lesser cost to the payment service provider than the second of the plurality of debit options.

22. (Currently Amended) The system of claim 12, wherein:

the evaluation of each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor comprises a first of the plurality of debit options and a second of the plurality of debit options producing the same result

the processor is further configured to determine that the first of the plurality of debit options is associated with a higher level of protection against financial loss to the payment service provider than the second of the plurality of debit options, and

the automatic selection of one of the plurality of debit options comprises automatically selecting the first of the plurality of debit options based at least in part on determining that the first of the plurality of debit options is associated with a higher level of protection against financial loss to the payment service provider than the second of the plurality of debit options.

- 23. (Currently Amended) The method of Claim 1, wherein determining a credit option associated with the <u>selected debit option</u> one of the plurality of debit options includes selecting one credit option from a plurality of credit options.
- 24. (Previously Canceled)
- 25. (Currently Amended) The system of Claim 12, wherein the determination that of a credit option associated with the selected debit option one of the plurality of debit options includes selecting one credit option from a plurality of credit options.
- 26. (Previously Canceled)
- 27. (Currently Amended) The method of Claim 1, wherein each processing factor of the plurality of processing factors has a <u>respective</u> factor value <u>for each of the plurality of debit options</u>,

wherein the evaluation of each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor includes evaluating the respective factor value for the at least one <u>selected</u> processing factor associated with each debit option, and

wherein the selection of one of the plurality of debit options is based, at least in part, on the evaluation of the respective value for the at least one [[of]] selected processing factor associated with each debit option.

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28. (Currently Amended) The system of Claim 12, wherein each processing factor of the plurality of processing factors has a <u>respective</u> factor value <u>for each of the plurality of debit options</u>,

wherein the evaluation of each debit option of the plurality of debit options based on the at least one <u>selected</u> processing factor includes evaluating the respective value for the at least one of processing factor associated with each debit option, and

wherein the selection of one of the plurality of debit options is based, at least in part, on the evaluation of the respective value for the at least one [[of]] selected processing factor associated with each debit option.